

## PUBLIC SAFETY DEPARTMENT[661]

### Notice of Intended Action

**Twenty-five interested persons, a governmental subdivision, an agency or association of 25 or more persons may demand an oral presentation hereon as provided in Iowa Code section 17A.4(1)“b.”**

**Notice is also given to the public that the Administrative Rules Review Committee may, on its own motion or on written request by any individual or group, review this proposed action under section 17A.8(6) at a regular or special meeting where the public or interested persons may be heard.**

Pursuant to the authority of Iowa Code section 103.6, the Electrical Examining Board hereby gives Notice of Intended Action to amend Chapter 500, “Electrician and Electrical Contractor Licensing Program—Organization and Administration,” and Chapter 502, “Electrician and Electrical Contractor Licensing Program—Licensing Requirements, Procedures, and Fees”; to rescind Chapter 505, “Electrician and Electrical Contractor Licensing Program—Continuing Education,” and adopt new Chapter 505, “Electrician and Electrical Contractor Licensing Program—Education”; and to amend Chapter 551, “Electrical Inspection Program—Definitions,” Iowa Administrative Code.

Iowa Code chapter 103 establishes the Electrical Examining Board and assigns it responsibility to establish and operate the statewide electrician and electrical contractor licensing program and the statewide electrical inspection program. Included in Iowa Code chapter 103 is the authority to adopt rules for the two programs. The amendments proposed herein add a definition of “registered apprenticeship program,” which will clarify that completion of an apprenticeship program registered at the state level satisfies the apprenticeship requirement for Iowa electrician licensing; correct references to dates related to Class “B” electrician licenses (licenses based on experience with no testing) to be consistent with the related statutory language in Iowa Code chapter 103; add language to clarify that a person who holds any license issued by the Electrical Examining Board, except for those who hold certain special electrician licenses, is not required to hold an unclassified person license to work as an unclassified person (electrician’s helper); adopt language codifying board procedures and standards for postsecondary electrician education programs; and adopt for the electrical inspection program a definition of “residential electrical work” that is consistent with the definition previously adopted for the electrician and electrical contractor licensing program.

Any interested person may comment on these proposed amendments via E-mail to [admrule@dps.state.ia.us](mailto:admrule@dps.state.ia.us), by fax sent to the Agency Rules Administrator at (515)725-6195, or by regular mail to Agency Rules Administrator, Iowa Department of Public Safety, State Public Safety Headquarters Building, 215 East 7th Street, Des Moines, Iowa 50319. Comments should be submitted no later than 4:30 p.m. on June 29, 2011, or may be submitted at the public hearing.

A public hearing will be held to receive comments regarding these proposed amendments during the meeting of the Electrical Examining Board, at 10 a.m. on June 30, 2011, in the First Floor Public Conference Room, State Public Safety Headquarters Building, 215 East 7th Street, Des Moines, Iowa.

The amendments proposed herein are subject to waiver provisions which apply generally to rules of the Electrical Examining Board, found in rule 661—501.5(17A).

Any fiscal impact of these proposed amendments is anticipated to be less than \$100,000 annually.

After analysis and review of this rule making, no impact on jobs has been found.

These amendments are intended to implement Iowa Code chapter 103.

The following amendments are proposed.

ITEM 1. Adopt the following **new** definition in rule **661—500.2(103)**:

*“Registered apprenticeship program”* means an electrical apprenticeship program registered with the Bureau of Apprenticeship and Training of the United States Department of Labor or an electrical apprenticeship program registered with a state agency whose registration program is accepted by the Bureau of Apprenticeship and Training in lieu of direct registration with the Bureau of Apprenticeship and Training.

ITEM 2. Amend subrule 502.2(4) as follows:

**502.2(4)** A class B master electrician license may be issued to a person who submits to the board a completed application with the applicable fee; who is not disqualified from holding a license pursuant to rule 661—502.4(103); who presents credible evidence of having worked for a total of eight years (16,000 hours of cumulative experience) as a master electrician since 1989, of which at least 8,000 hours shall have been worked since January 1, 1998; and whose experience as a master electrician began on or before ~~December 31, 1989~~ January 1, 1998.

ITEM 3. Amend paragraph **502.2(6)“a”** as follows:

a. Has successfully completed ~~an a registered~~ apprenticeship program ~~registered by the Bureau of Apprenticeship and Training of the United States Department of Labor~~, has passed a supervised written examination for journeyman electrician approved by the board with a score of 75 or higher, and has completed four years of experience as an apprentice electrician; or

ITEM 4. Amend subrule 502.2(7) as follows:

**502.2(7)** A class B journeyman electrician license may be issued to a person who submits to the board a completed application with the applicable fee; who is not disqualified from holding a license pursuant to rule 661—502.4(103); who presents credible evidence of having worked for a total of eight years (16,000 hours of cumulative experience) as a journeyman electrician or master electrician since 1989, of which at least 8,000 hours shall have been worked since January 1, 1998; and whose experience as a journeyman electrician or master electrician began on or before ~~December 31, 1990~~ January 1, 1998.

ITEM 5. Amend subrule 502.2(11) as follows:

**502.2(11)** A license as an unclassified person may be issued to a person who submits a completed application to the board with the applicable fee, who is not disqualified pursuant to rule 661—502.4(103), and who is employed by a licensed electrical contractor. Any person who holds a current license issued by the board, including a special residential electrician license, but excluding other special electrician licenses, may work as an unclassified person without holding an unclassified person license.

ITEM 6. Rescind 661—Chapter 505 and adopt the following **new** chapter in lieu thereof:

#### CHAPTER 505

#### ELECTRICIAN AND ELECTRICAL CONTRACTOR LICENSING PROGRAM—EDUCATION

**661—505.1 to 505.100** Reserved.

#### DIVISION I

#### POSTSECONDARY ELECTRICAL EDUCATION PROGRAMS

#### **661—505.101(103) Program approval.**

**505.101(1)** Any institution that plans to offer a postsecondary electrical education program to prepare students to be licensed by the board shall submit an application to the board office on a form specified by the board. Only applications from institutions which are currently accredited by recognized regional or national educational accrediting organizations shall be approved.

**505.101(2)** For any postsecondary electrical education program for which approval is sought on or after [insert effective date of this rule], approval by the board shall be obtained prior to student participation in the postsecondary electrical education program.

**505.101(3)** An application for initial approval of a postsecondary electrical education program shall be submitted to the board not less than 120 days prior to student participation in the program.

**505.101(4)** Approval of a postsecondary electrical education program is normally for five years, although approval may be withdrawn for cause prior to the expiration of the five-year period.

**505.101(5)** Applications for renewal of approval of postsecondary electrical education programs shall be submitted to the board at least 120 days prior to the expiration of the five-year approval period.

**505.101(6)** Information regarding approved postsecondary electrical education programs may be obtained by contacting the board office. A list of approved postsecondary electrical education programs shall be posted on the board's Web site.

**661—505.102(103) Standards for postsecondary electrical education programs.** A postsecondary electrical education program shall not be approved unless it meets all of the following requirements:

**505.102(1)** The program shall include coverage of subject matter areas listed in the document “Required Subjects for Postsecondary Electrical Education Programs,” approved and published by the board and available on request from the board office and from the board Web site. Included in addition to technical electrical subjects shall be at least 4 hours of instruction on the Iowa electrical statute, Iowa Code chapter 103, with a minimum of 1 hour on Iowa electrical licensing requirements.

**505.102(2)** Completion of the course of study shall require a minimum of 2,000 contact hours between the student and instructors, of which a minimum of 1,600 hours shall cover technical electrical subjects. Between 30 and 40 percent of the 2,000 hours shall be lecture hours, and the balance shall be laboratory or shop hours.

**505.102(3)** The program shall have an attendance policy which requires that a student attend at least 95 percent of each required program course to receive credit for the course.

**505.102(4)** Each instructor shall possess one of the following qualifications:

*a.* Hold a current license as a class A master electrician or class A journeyman electrician issued by the board; or

*b.* Hold a bachelor of science degree or equivalent or higher degree in electrical engineering and have completed 4,000 hours of experience performing electrical work; or

*c.* Hold an associate of applied science or equivalent or higher degree in electrical construction or maintenance or both and have completed 8,000 hours of experience performing electrical work.

**505.102(5)** For each course limited to a specialized technical or general education area, the instructor shall possess evidence of related specialized technical knowledge, including completion of training, certification, or accreditation in the specialized subject matter.

**661—505.103 to 505.200** Reserved.

DIVISION II  
CONTINUING EDUCATION

**661—505.201(103) Continuing education requirements.** Each holder of a three-year license, other than a special electrician license, shall complete 18 hours of continuing education approved by the board between the time of issuance of the license and prior to issuance of a renewal license.

EXCEPTION: A holder of a license in a category which may be issued for a three-year period whose license is issued for less than a three-year period shall complete at least 6 hours of continuing education prior to renewal of the license for each year or portion of a year for which the license has been issued.

**661—505.202(103) Course approval.**

**505.202(1)** Any person or institution that plans to offer continuing education courses to meet the requirements of rule 661—505.201(103) shall submit an application to the board office on a form specified by the board.

**505.202(2)** Approval by the board shall be obtained prior to a course’s being offered to a licensee in order to meet the requirements of rule 661—505.201(103).

**505.202(3)** An application for initial approval of a continuing education course shall be submitted to the board not less than 45 days prior to student participation in the course.

**505.202(4)** Approval of a continuing education course is normally for the duration of the three-year licensing period during which approval is received, although approval may be withdrawn for cause prior to the expiration of the licensing period.

**505.202(5)** Applications for renewal of approval of continuing education courses shall be submitted to the board at least 45 days prior to the expiration of the three-year licensing period. For purposes of this subrule, “renewal” may include the updating of course material in a course previously approved for delivery by the same instructor.

**505.202(6)** Information regarding approved continuing education courses may be obtained by contacting the board office. A list of approved continuing education courses shall be posted on the board Web site.

**661—505.203(103) Requirements for continuing education programs.** A continuing education program shall be approved by the board only if the following requirements are met:

**505.203(1)** The instructor or institution applying for approval of a continuing education course shall provide at least three letters from educational institutions or government agencies attesting to the instructor's knowledge of and qualifications to teach the subject matter of the course for which approval is sought.

**505.203(2)** Each instructor shall:

- a.* Verify course approval prior to delivery of the course.
- b.* Facilitate auditing of the course by any board member or member of the staff of the board. No board or staff member shall receive continuing education credit for an audited course.
- c.* Issue a certificate of completion to each student who completes the course.
- d.* Submit a class roster, indicating which students completed the course, to the board office within 30 days of completion of the course.

These rules are intended to implement Iowa Code chapter 103.

ITEM 7. Rescind the definition of "Residential installation" in rule **661—551.2(103)**.

ITEM 8. Adopt the following new definition in rule **661—551.2(103)**:

*"Residential electrical work"* means electrical work in a residence in which there are no more than four living units within the same building and includes work to connect and work within accessory structures, which are structures no greater than 3,000 square feet in floor area, not more than two stories in height, the use of which is incidental to the use of the dwelling unit or units, and located on the same lot as the dwelling unit or units.